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SEP 08 2008**FACSIMILE COVER SHEET**

DATE: September 8, 2008

TO: Examiner Oluwatosin A. Ogunbiyi  
TC Art Unit: 1645

Fax No.: (571) 273 8300

FROM: Charles L. Gagnebin III

No. of pages transmitted  
(including this page): 10

Our File: VER-191XX

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Application No. 10/538,531

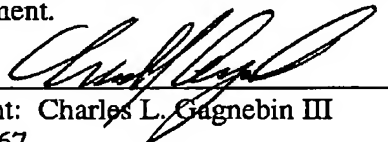
Filed Date: November 30, 2005

Confirmation No.: 4249

A confirmation copy of this transmission will not be mailed unless the following is checked: ☐ MESSAGEPLEASE DELIVER DIRECTLY TO:  
EXAMINER OLUWATOSIN A. OGUNBIYI, Tel. (571) 272-9939  
TC ART UNIT NO: 1645**FOR ENTRY**

Enclosed for filing please find a Response and transmittal form.

The Commissioner is hereby authorized to Charge Deposit Account No. 23-0804 for any additional filing fees associated with this communication or credit any overpayment.

  
Attorney for Applicant: Charles L. Gagnebin III  
Registration No. 25,467

CLG/mrb/371407.1

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Application No.: 10/538,531  
 Filed: November 30, 2005  
 TC Art Unit: 1645  
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Rev 09/07

WEINGARTEN, SCHURGIN, GAGNEBIN &amp; LEOVICI LLP

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COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, VA 22313-1450

Date: September 8, 2008

Attorney

Docket No.: VER-191XX

Sir:

In re application of: Josephus Jan Emeis et al.

Entitled: **CHOLESTEROL-LOWERING PREPARATION, FOOD SUPPLEMENT AND FOODSTUFF, AND METHODS FOR PREPARING SAME**

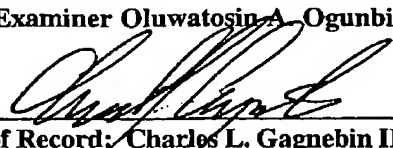
Transmitted herewith is an amendment in the above-identified application. The following checked items are applicable:

- ☐ This is a Request for Continued Examination under §1.114; authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of same (\$\_\_\_\_\_) per §1.17(e).  
☐ Enter the unentered amendment previously filed on \_\_\_\_\_ per §1.116.
- ☐ Small Entity Status is asserted.
- ☐ A Petition for Extension of Time for \_\_\_\_ month is hereby made under §1.136(a); authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of same (\$\_\_\_\_\_) per §1.17.
- ☒ In the event a Petition for Extension of Time is required by this paper and not otherwise provided, such Petition is hereby made and authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of such extension.
- ☐ Other:

CLAIMS AFTER AMENDMENT:	MINUS PRIOR PAID CLAIMS:	EQUALS PRESENT EXTRA CLAIMS:	RATE:	ADDITIONAL FEE:
Independent	2 - 7	=	x \$210.00 =	0
Total	9 - 20	=	x \$ 50.00 =	0
<input type="checkbox"/> Multiple Dependent Claims (1st presentation)			+ \$370.00 =	0
SUBTOTAL ADDITIONAL FEE				0
Small Entity filing, divide by 2. Small Entity status must be asserted.				0
TOTAL ADDITIONAL FEE				0

- ☒ No additional fee. ☐ The fee has been calculated above; authorization is provided herewith to charge Deposit Account No. 23-0804 (\$\_\_\_\_\_) for the cost of same.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees under §1.16 associated with this communication or credit any overpayment to Deposit Account No. 23-0804.

I hereby certify that this correspondence is being sent via facsimile to Examiner Oluwatosin A. Ogunbiyi, TC Art Unit 1645, Fax No. (571) 273 8300, on September 8, 2008.

  
 Attorney of Record: Charles L. Gagnebin III  
 Registration No.: 25,467

CLG/mrb/371408.1

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PATENT

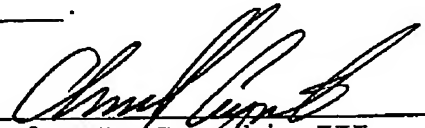
Rev 02/07

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : Josephus Jan Emeis et al.  
Application No. : 10/538,531  
Filed : November 30, 2005  
Confirmation No. : 4249  
For : CHOLESTEROL-LOWERING PREPARATION, FOOD  
SUPPLEMENT AND FOODSTUFF, AND METHODS FOR  
PREPARING SAME  
Attorney's Docket : VER-191XX

TC Art Unit: 1645

\*\*\*\*\*  
I hereby certify that this correspondence is being sent via  
facsimile to Examiner Oluwatosin A. Ogunbiyi, TC Art Unit 1645,  
Fax No. (571) 273 8300, on 9-8-8.

By:   
Charles L. Gagnebin III  
Registration No. 25,467  
Attorney for Applicants

\*\*\*\*\*

AMENDMENT PURSUANT TO 37 C.F.R. §1.116

Via Facsimile  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action dated June 6, 2008,  
please amend the above-identified patent application as follows.

WEINGARTEN, SCHURGIN,  
GAGNEBIN & LEBOVICI LLP  
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